

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

THEODORE J. ZALLER, Individually
and on Behalf of All Others Similarly
Situating,

Plaintiff,

v.

FRED'S INC., MICHAEL K. BLOOM,
WALGREENS BOOTS ALLIANCE,
INC., STEFANO PESSINA, and
GEORGE R. FAIRWEATHER,

Defendants.

Case No. 2:19-cv-02415-SHL-atc

Hon. Sheryl H. Lipman
Hon. Annie T. Christoff

CLASS ACTION

**PLAINTIFFS' UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Lead Plaintiffs Gary Fielder, Herbert Ciesla, and Susan Ciesla, respectfully move this Court for an Order pursuant to Rule 23(e) of the Federal Rules of Civil Procedure preliminarily approving the proposed Settlement, plan of allocation, and plan of notice; certifying the Class for settlement purposes; and scheduling a Settlement Hearing, as is further delineated in the memorandum of law filed herewith.

The unopposed motion is premised on the accompanying supporting memorandum of law, the Stipulation of Settlement and exhibits filed herewith, and all prior papers and proceedings in the Action. A Certificate of Consultation made pursuant to Local Rule 7.2(a)(1)(B) is also submitted herewith.

Dated: January 31, 2022

/s/ Joshua B. Silverman

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the Class***

CERTIFICATE OF SERVICE

I hereby certify that on January 31, 2022, a copy of the foregoing was filed electronically via the Court's CM/ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's CM/ECF System.

POMERANTZ LLP

By: /s/ Joshua B. Silverman
Joshua B. Silverman

Lead Counsel